

DECLARATION Utility Application

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **A COMBINATION OF FBPAE INHIBITORS AND ANTIDIABETIC AGENTS FOR THE TREATMENT OF DIABETES** the specification of which

(Check One)

☒ is attached hereto OR
☐ was filed on _____ as United States Application Serial No. _____; PCT
International Application No. _____
and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Date of Filing	Priority Claimed	
			Yes	No

I hereby claim the benefit under Title 35, United States Code §119(e) of any United States provisional application(s) listed below.

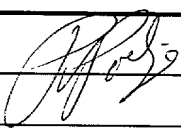
Application Number(s)	Filing Date
60/216,531	July 6, 2000
60/215,126	June 29, 2000

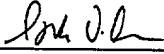
I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application Number	PCT Parent Number	Parent Filing Date	Status-Patented, Pending or Abandoned

Residence, post office address, citizenship and signature of inventor(s) set forth beginning on next page.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

201	FULL NAME OF INVENTOR	FIRST Name Paul	MIDDLE Initial D.	LAST Name van Poelje	
	RESIDENCE & CITIZENSHIP	City La Jolla	State or Foreign Country California		Country of Citizenship Netherlands
	POST OFFICE ADDRESS	6483 Dowling Drive	City La Jolla	State or Country California	Zip Code 92037
INVENTOR'S SIGNATURE				DATE 7/2/01	

202	FULL NAME OF INVENTOR	FIRST Name Mark	MIDDLE Initial D.	LAST Name Erion	
	RESIDENCE & CITIZENSHIP	City Del Mar	State or Foreign Country California		Country of Citizenship United States of America
	POST OFFICE ADDRESS	13455 Mango Drive	City Del Mar	State or Country California	Zip Code 92014
INVENTOR'S SIGNATURE				DATE 7/2/01	

203	FULL NAME OF INVENTOR	FIRST Name Toshihiko	MIDDLE Initial	LAST Name Fujiwara	
	RESIDENCE & CITIZENSHIP	City	State or Foreign Country		Country of Citizenship Japan
	POST OFFICE ADDRESS		City	State or Country	Zip Code
INVENTOR'S SIGNATURE				DATE	

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201	FULL NAME OF INVENTOR	FIRST Name Paul	MIDDLE Initial D.	LAST Name Van Poelje	
	RESIDENCE & CITIZENSHIP	City La Jolla	State or Foreign Country California		Country of Citizenship Netherlands
	POST OFFICE ADDRESS	6483 Dowling Drive	City La Jolla	State or Country California	Zip Code 92037
INVENTOR'S SIGNATURE _____ DATE _____					

202	FULL NAME OF INVENTOR	FIRST Name Mark	MIDDLE Initial D.	LAST Name Erion	
	RESIDENCE & CITIZENSHIP	City Del Mar	State or Foreign Country California		Country of Citizenship United States of America
	POST OFFICE ADDRESS	13455 Mango Drive	City Del Mar	State or Country California	Zip Code 92014
INVENTOR'S SIGNATURE _____ DATE _____					

203	FULL NAME OF INVENTOR	FIRST Name Toshihiko	MIDDLE Initial	LAST Name Fujiwara	
	RESIDENCE & CITIZENSHIP	City	State or Foreign Country		Country of Citizenship Japan
	POST OFFICE ADDRESS		City	State or Country	Zip Code
INVENTOR'S SIGNATURE <u>Toshihiko Fujiwara</u> DATE <u>July 4, 2001</u>					

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Paul D. van Poelje, et al.

Serial No.: To be assigned

Filed: Herewith

For: A COMBINATION OF FBPA
SE INHIBITORS AND ANTIDIABETIC
AGENTS FOR THE TREATMENT OF
DIABETES

Group Art Unit: To be assigned

Examiner: To be assigned

GRANT OF POWER OF ATTORNEY

Commissioner for Patents
Washington, D.C. 20231

Sir:

As representatives of the assignees of an entire interest in the above-identified application, the undersigned hereby appoints as attorney for the assignees herein, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, John M. Benassi, Reg. No. 27,483; Richard L. Blaylock, Reg. No. 43,503; Bradford J. Duft, Reg. No. 32,219; Jeffrey W. Guise, Reg. No. 34,613; Kurt M. Kjelland, Reg. No. 41,901; Stephen S. Korniczky, Reg.

CERTIFICATE OF MAILING
(37 C.F.R. §1.10)

I hereby certify that this paper (along with anything referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as 'Express Mail Post Office To Addressee' in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.

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Express Mail Label No.

July 5, 2001

Date of Deposit

Dulcie Donoso Font

Name of Person Mailing Paper

Dulcie Donoso Font

Signature of Person Mailing Paper

as Representative for Sankyo Company,
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2-58, Hiromachi 1-chome, Shinagawa-ku
Tokyo 140-8710 Japan

In re the Application of:

Group Art Unit: To be assigned

Examiner: To be assigned

Filed: Herewith

**For: A COMBINATION OF FBPASE
INHIBITORS AND ANTIDIABETIC
AGENTS FOR THE TREATMENT OF
DIABETES**

GRANT OF POWER OF ATTORNEY

Commissioner for Patents
Washington, D.C. 20231

Sir:

As representatives of the assignees of an entire interest in the above-identified application, the undersigned hereby appoints as attorney for the assignees herein, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. John M.

Benassi, Reg. No. 27,483; Richard L. Blaylock, Reg. No. 43,503; Bradford J. Duft, Reg. No. 32,219; Jeffrey W. Guise, Reg. No. 34,613; Kurt M. Kjelland, Reg. No. 41,901; Stephen S. Korniczky, Reg.

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Express Mail Label No.

July 5, 2001
Date of Deposit

Dulce Donoso Font
Name of Person Mailing Paper

Dulcie Donoso Font
Signature of Person Mailing Paper

No. 34,853; Edward O. Kreusser, Reg. No. 38,523; Alma Levy, Reg. No. 43,751; F.T. Alexandra Mahaney, Reg. No. 37,668; Lisa M. McGeehan, Reg. No. 41,185; Peter R. Munson, Reg. No. 43,821; Douglas C. Murdock, Reg. No. 37,549; Vicki G. Norton, Reg. No. 40,745; Douglas E. Olson, Reg. No. 22,798; Richard H. Pagliery, Reg. No. 44,276; John Peterson, Reg. No. 45,894; Jonathan Pettit, Reg. No. 40,770; Andrew D. Skale, Reg. No. 44,338; Franklin D. Ubell, Reg. No. 27,009; Peter D. Weinstein, Reg. No. 43,251; Anatoly Weiser, Reg. No. 43,229; and Jessica R. Wolff, Reg. No. 37,261 of Brobeck, Phleger & Harrison LLP, 12390 El Camino Real, San Diego, California 92130; telephone (858) 720-2500.

Respectfully submitted,

METABASIS THERAPEUTICS, INC.

Dated: _____

By: _____

Name: _____

Title: _____
as Representative for Metabasis Therapeutics,
Inc.
9390 Towne Centre Drive
San Diego, California 92121

SANKYO COMPANY, LIMITED

Dated: July 5, 2001

By: Tetsuo Takato

Name: Tetsuo TAKATO

Title: Representative Director
and President

as Representative for Sankyo Company,
Limited
2-58, Hiromachi 1-chome, Shinagawa-ku
Tokyo 140-8710 Japan